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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 MAY -1 AM 11:44

UNITED STATES OF AMERICA,

Plaintiff,

v.

Alejandro MEJIA-Hernandez,

Defendant

Magistrate Docket No.

'08 MJ 1370

COMPLAINT FOR VIOLATION OF:

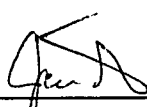
DEPUTY

Title 8, U.S.C., Section 1326  
Deported Alien Found in the  
United States

The undersigned complainant, being duly sworn, states:

On or about **April 29, 2008** within the Southern District of California, defendant, **Alejandro MEJIA-Hernandez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
 SIGNATURE OF COMPLAINANT  
 James Trombley  
 Senior Patrol Agent
SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 1<sup>st</sup> DAY OF MAY, 2008
  
 Nita L. Stormes  
 UNITED STATES MAGISTRATE JUDGE

**CONTINUATION OF COMPLAINT:****Alejandro MEJIA-Hernandez****PROBABLE CAUSE STATEMENT**

On April 29, 2008 Border Patrol Agent Lara was performing line watch duties in the Imperial Beach Border Patrol Station area of operations. At approximately 9:15 PM, Agent Lara responded to a seismic intrusion device in an area known as the "Gravel Pit." This area is located approximately 200 yards north of the U.S./Mexico International Boundary Fence, and two miles west of the San Sedro, California Port of Entry.

After a brief search, Agent Lara encountered five subjects attempting to hide in dense brush. Agent Lara identified himself as a United States Border Patrol Agent and questioned each subject as to their citizenship and immigration status. All five, including one later identified as the defendant **Alejandro MEJIA-Hernandez**, admitted to being citizens and nationals of Mexico not in possession of any immigration documents which would allow them to enter or remain in the United States legally. Agent Lara placed the five subjects under arrest and they were transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed an immigration history. The defendant's record was determined by a comparison of his immigration record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **April 22, 2008** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated

MEJIA was advised of his Miranda Rights. He stated that he understood and was willing to answer questions without an attorney present. MEJIA again freely admitted to being a citizen and national of Mexico, illegally present in the United States, not in possession of any documents that would allow him to enter or remain in the United States legally.